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<b>09-RENEW EO-1</b>	
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January 27, 2010

California Energy Commission  
Dockets Office, MS-4  
RE: Docket No. 09-Renew EO-01  
1516 Ninth Street  
Sacramento, CA 95814-5512

RE: Docket No.: 09-Renew EO-01  
Renewable Energy Executive Order  
Written Comment Regarding the Proposed  
Best Management Practices Manual: Desert  
Renewable Energy Projects

To Whom It May Concern:

Thank you for the opportunity to furnish comments on the second draft of the “Best Management Practices and Guidance Manual: Desert Renewable Energy Projects”. We have reviewed the second draft and have the following comments:

Page 72; Lines 6 – 8: “Include a permit application to the Department of Conservation Division of Oil, Gas and Geothermal Resources (DOGGR) for the geothermal exploratory, production, and injection wells in applications to lead agencies.”

We feel this proposed requirement is inappropriate and should be omitted from the final draft of the manual for the following reasons:

1. A drilling permit, as submitted to the DOGGR, has detailed and specific information on the drilling of that well. It includes specific information on the drilling program, casing depths, materials of construction, cementing practices, direction of the well, depth, etc. Such a detailed program is generally completed a month or so in advance of the drilling of a specific well, not a year plus in advance of drilling of a well. This one-well-at-a-time permitting practice is the current Best Management Practice used by the DOGGR, Bureau of Land Management (BLM), State Lands Commission (SLC) and Navy Geothermal Programs Office (GPO) for geothermal drilling.



2. The geothermal drilling process, even within an existing field, is an iterative one. That is to say, data gained from each new well is used to modify the program for the next well or series of wells. This is especially true for a major new development as proposed for Black Rock 1-3, where 20 new wells are planned. So by preparing, a year or more in advance, detailed drilling permits for all 20 Black Rock wells will only guarantee that parts of each permit will be wrong (i.e. – depth, direction, casing shoe depth, etc.) and thus will require sundry notices (or official changes) submitted to the agency to correct the permit when better information is available from the previously drilled wells. This will, therefore, not serve to streamline the regulatory process; but rather result in unnecessary delays.
3. Permits submitted to the DOGGR, along with other well data, are held confidential for a minimum of five years, and in some instances indefinitely. To submit these permits as part of a California Energy Commission AFC application would invalidate that confidentiality and could expose a company to loss of proprietary data, such as specific casing alloys, cementing practices, etc. Notwithstanding this, it would likely be necessary to submit all drilling applications and permit modifications under the CEC's confidentiality procedure. This would place an unnecessary burden on both the commission's legal and technical staff.

This concludes our formal comment on the second draft of the manual. Please do not hesitate to contact us to discuss these. We look forward to continuing to work with REAT in this matter.

Sincerely,

Doug Hackley

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